IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT APPEAL NO : 970 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 01/12/2003 in WP NO : 5058 OF 2002 on the file of the High Court.)

Between:
M/s.Karan Woosin Limited, S.No.321, rep. by its Manager, C.Narender Reddy, S/o.Narasimha Reddy, R/o.Kallakal Village, Toopran Mandal, Medak District.

..... APPELLANT

AND

1 The Government of Andhra Pradesh, Represented by its Secretary, Labour Department, Secretariat, Hyderabad.
2 The Commissioner of Labour, A.P., Hyderabad.
3 The Additional Commissioner of Labour, A.P., Hyderabad.
4 The General Secretary, Karan Woosen Employees' Union, (Regd.No.3304), Kallakal Village, Toopran Mandal, Medak District.

.....RESPONDENT(S)

For the Appellant:MR.M.PANDURANGA RAO, Advocate.

For the Respondent No.: GP FOR LABOUR

The Court Made the Following :

JUDGMENT: (Per Sri Bilal Nazki, J).

This Writ Appeal is filed against the order passed by a learned Single Judge of this Court in Writ Petition No.5058 of 2002.

By proceedings dated 07.02.2002, the Commissioner of Labour passed orders, directing the Writ Petitioners to let off 24 workmen. Thereafter, on 07.03.2002, the Additional Commissioner issued a notice and fixed the date as 18.03.2002 for considering the review of the order. This notice was challenged on the ground that the order of the Commissioner of Labour could not have been reviewed by the Additional Commissioner, who is not the specified authority in terms of law. Though the learned Single Judge accepted it, he did not quash the order, but asked the Commissioner of Labour to take up the matter.

Without going further into the controversy, we deem it appropriate and in the interest of justice, to set aside and quash the notice issued by Additional Commissioner and give liberty to the Commissioner of Labour to issue fresh notice, if he also thinks that the order dated 07.02.2002 needs to be reviewed. The time spent in these proceedings including the Writ Petition and the Writ Appeal shall not be taken into consideration for the purpose of entertaining the review.

Appeal is accordingly disposed of. No costs.

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(Bilal Nazki, J)

7th July, 2004.

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(P.S.Narayana,J)

ajr.

To

1 The Secretary to Government of Andhra Pradesh, Ministry of Labour, Secretariat, Hyderabad.

2 The Commissioner of Labour, A.P., Hyderabad.

3 The Additional Commissioner of Labour, A.P., Hyderabad.

4 Two C.Cs. to the Government Pleader for Labour, High Court buildings, Hyderabad (O.U.T).

5 Two C.D. copies.